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COMMISSION ON HUMAN RIGHTS
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QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC,
SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL
DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL
PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS
TO ACHIEVE THESE HUMAN RIGHTS

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS
AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF
THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Written statement submitted by the Latin American Committee for the Defence of
Women's Rights, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement,
which is circulated in accordance with Economic and Social Council
resolution 1296 (XLIV).

[16 December 1997]

Declaration of human rights from a gender perspective:
contribution to the fiftieth anniversary of the
Universal Declaration of Human Rights



In December 1998, the United Nations will commemorate the fiftieth anniversary of the Universal Declaration of Human Rights. Knowing the great significance of this event, CLADEM (Latin American and Caribbean Committee for the Defence of Women's Rights), along with other regional and international organizations, has developed a proposal aimed for adoption by the States Members of the General Assembly.

We understand that 1998 is a very special opportunity for States to renew their commitment to the acknowledgement and validity of human rights, incorporating perspectives that have arisen during the last decades, specifically gender and ethnicity.

In the same way that the 1948 Declaration has constituted an ethical statute for the second half of the twentieth century, we consider it necessary that today, on the threshold of the new millennium, that States approve another document of international protection that, without invalidating the achievements obtained in the former, integrates the advances developed hitherto.

Preamble

Considering that human rights emerged within a constricted concept of the human being: male, occidental, white, adult, heterosexual and owner of assets,

Considering that because of this, the rights of women, indigenous people, homosexuals and lesbians, children, the elderly, disabled people and other groups have been restricted,

Considering that our vision includes a holistic concept of humanity embracing and incorporating those who have been historically - and continue to be - excluded from it,

Considering the indivisibility, universality and interdependence of human rights, and that in the present world context of mounting poverty, inequality and violence, it is crucial to adequately strengthen and guarantee the full validity of environmental, reproductive, economic, social and cultural rights,

Considering that the adoption of this Declaration will neither impede the compliance of the commitments assumed by States on signing the Universal Declaration of Human Rights in 1948, nor impair the enjoyment by all persons of the human rights and fundamental freedoms universally acknowledged. Nor will it authorize activities contrary to sovereignty, territorial integrity and the States' political independence,

We propose that the present project be duly taken into account by the General Assembly in the elaboration of a Declaration for the Twenty-first Century.

Citizenship

I. (1) All women and men are born free and equal in dignity and rights.

(2) Every individual has the rights and freedoms proclaimed in this Declaration, with no distinction based on race, ethnicity, age, sex, sexual orientation, physical or mental disability, language, religion, political opinion, national or social origin, economic position, birth or any other condition.

II. (1) All human beings have the right to their own identity and the enjoyment of autonomy and self-determination in all spheres of their lives. Women's right to an identity cannot be affected by marriage.

(2) Slavery, servitude, and the traffic in women, girls and boys in any form, including those which take place within family relationships, are prohibited.

III. (1) All human beings are guaranteed the enjoyment and exercise of civil and political rights in equitable conditions and without any discrimination.

(2) All human beings have the right to an equal and equitable participation in labour, political and social organizations, as well as the participation in elective and non-elective public posts.

Right to development

IV. All human beings have the right to enjoy the benefits of human development, which include economic, social and cultural rights, and specifically everyone's right:

(1) To enjoy the highest level of physical and mental health throughout their life in both urban and rural regions;

(2) To live free from poverty;

(3) To adequate housing;

(4) To equal and equitable access to productive resources, including land, credit, technology, running water and energy.

V. (1) Every person has the right to an education free from stereotypes and/or prejudices.

(2) Every woman and man has the right and responsibility in the raising and education of children and in the maintenance of home and the undertaking of housework.

VI. (1) Everyone has the right to work; the free election of work; protection against unemployment; the enjoyment of safe, equitable and satisfactory working conditions and an adequate standard of living.

(2) Everyone has a right to enjoy the same opportunities and treatment in relation to: access to services of vocational training and employment; job security; remuneration for work of equal value, social security, and other social benefits.

(3) Everyone has a right to rest, to leisure time, to periodic paid holidays and to a reasonable working day.

The right to peace and a violence-free life

VII. (1) All persons have the right to a violence-free life and the enjoyment of peace in both the public and private spheres. No one shall be submitted to forced eviction, torture and/or cruel, inhumane or degrading treatment or punishment. All forms of violence against women constitute a violation of their human rights.

VIII. (1) Migrants, displaced persons or refugees, and individuals in situations of personal or group disadvantage because of gender, race, ethnic origin, age, convictions or any other, have the right to specific protection measures against violence.

(2) All human beings have the right to live free from armed conflict.

(3) Acts of aggression perpetrated against women and children in situations of armed conflict, including murder, rape, sexual slavery and forced pregnancies, constitute crimes against humanity.

IX. (1) Every citizen has the right to a national budget based on social and humanitarian development. Every citizen has the right to demand the promotion of peace by their governments, which include measures towards the reduction of military expenditure, the elimination of all armaments and the reassignment of these funds towards development.

(2) Women and representatives of disadvantaged groups have the right to participate in the process of decision-making and conflict resolution.

Sexual and reproductive rights

X. All human beings have the right to autonomy and self-determination in the exercise of their sexuality, which includes the right to physical, sexual and emotional pleasure, the right to freedom in sexual orientation, the right to information and education on sexuality.

XI. (1) Women and men have the right to decide on their reproductive life in a free and informed manner and to exercise the voluntary and safe control of their fertility, free from discrimination, coercion and/or violence, as well as the right to enjoy the highest level of sexual and reproductive health.

(2) Women have the right to reproductive autonomy, which includes access to safe and legal abortions.

XII. All human beings have the right to sexual and reproductive health care for the maintenance of physical, mental and social well-being.

Environmental rights

XIII. Transgenerational responsibility, equality among women and men, solidarity, maintenance of peace, respect for human rights and fundamental freedoms and cooperation among States are the basis for the achievement of sustainable development and the conservation of the environment.

XIV. (1) All women and men have the right to a sustainable environment and level of development adequate for their health, well-being and dignity.

(2) All women and men have the right to access technologies sensitive to biological diversity, essential ecological processes and life conservation systems in order to undertake work in industry, agriculture, fishing and pasturing.

XV. (1) All persons have the right to participate actively in local, national and international environmental management and education.

(2) The environmental policies shall aim to:

(a) Provide consumers with suitable information, comprehensible to persons of all ages, linguistic origins, and degrees of literacy;

(b) Promote the elimination of chemical products and pesticides which are toxic and dangerous for the environment, reducing health risks that affect people both at home and at work, in urban and rural areas;

(c) Foster the manufacturing of products sensitive and respectful of the environment and the application of non-polluting technologies;

(d) Support the recovery of eroded and deforested lands, of harmed hydrographic basins and of polluted water supply systems.

Rights based on ethnic-racial identity

XVI. All human beings have the right to exercise ethnic-racial diversity free from prejudices based on cultural, linguistic, geographic, religious and racial discrimination. All human beings have the right to protection against ethnocide and genocide.

XVII. (1) All persons and groups have the right to the full and effective enjoyment of individual and collective human rights with no discrimination based on race, nationality or ethnicity, culture, language or religion.

(2) All persons and groups have the right to the acknowledgement of their full cultural identity.

XVIII. (1) Indigenous peoples have the right to autonomy and self-determination and to the maintenance of their traditional political, legal, educational, social and economic structures and ways of life.

XIX. (1) Indigenous peoples have the right to the maintenance of commercial and cultural relations and communications across country borders.

(2) Indigenous peoples have the individual and collective right to participate in the decision-making process of their local and national governments.

(3) People belonging to ethnic, racial, religious or linguistic minorities have a right to establish their own associations, to practice their own religion and use their own language.

1. On 9 April 1997, Mr. Kofi Annan, Secretary-General of the United Nations, speaking before the Commission on Human Rights, said that the right to development was the measure of the respect of all other human rights. "That should be our aim: a situation in which all individuals are enabled to maximize their potential, and to contribute to the evolution of society as a whole."

2. That is in fact the aim of the rural movements and peasant organizations of the International Federation of Rural Adult Catholic Movements (FIMARC). They have been engaged for many years, with courage and determination, in a daily struggle to usher in an economy based on social objectives and solidarity, which will contribute to the development of the whole individual and of all people.

3. In its progress report on the Right to Development (E/CN.4/1997/22, para. 29), the Group of Experts pointed out that realizing the right to development is more important now than ever before. They reached that conclusion because they found that, despite overall global economic growth, 89 countries were worse off economically than they were 10 or more years ago.

4. While there is no doubt that the responsibility for realizing the right to development lies with all the development actors of the international community, it is also true that rural and peasant communities, often with minimal resources, are not the least committed to this realization of the right to development. A clear indication of this is their numerous initiatives in many sectors of activity and the variety of alternatives they undertake in order to satisfy urgent basic needs.

5. It has to be recognized, however, that in practice the need to promote an environment which is favourable to development is continually opposed by the neo-liberal economic model. This model is gaining ground everywhere in the world, leading to growing domestic inequalities, increasing marginalization and worsening conditions for the masses, and the destruction and wastage of world resources by and for the benefit of a minority which holds economic power.

6. This neo-liberal model, under the control of an increasingly small minority, is using its monopoly to influence national policies. States are more and more exposed to financial speculation and are forced to comply with the general economic directives laid down by international institutions, such as the International Monetary Fund, the World Bank and the World Trade Organization. The economic strategy of these international bodies inevitably leads to privatization, the introduction of monetarist policies and a weakening of social solidarity systems.

7. In this situation, fundamental rights, such as the right to land, to health, to basic nutrition, to housing, to education and to organize, are denied and flouted, although some progress had been achieved here and there in recent years, thanks to grass-roots mobilization. In some countries, rural communities are in addition penalized by being subjected to physical violence. This violence is imposed by fundamentalists, paramilitaries or drug traffickers, who use rural areas as a safe retreat.

8. In order to defend their means of production and employment and to build better alternatives for life in rural areas and the recognition of their identity, rural and peasant communities are organizing and developing alliances, in order to gain sufficient strength to make their voices heard.

9. It is inadmissible that 50 international companies should control the greater part of trade in agricultural and food products, that only 6 companies dominate 85 per cent of world trade in cereals and that a mere 3 companies control 83 per cent of the world banana trade. These international companies impose on all countries a type of globalization, which works only as a support for liberalism. In order to increase their profits and disregarding the impoverishment of biological diversity, the companies register patents which make peasants dependent on the products they sell.

10. These practices are well known in Asia, Africa and Latin America. The dependence on artificial species, created by biotechnologies, causes concern to peasants, who consider it a threat to their food security and to their future family income, as well as to the eating habits of the whole population. Patent rules would in effect make it illegal eventually to produce crops on the basis of seed saved from one year to the next. In Europe, the efforts made by some multinationals to introduce genetically modified products are raising doubts among both producers and consumers regarding the value and purpose of such efforts, especially since, in Europe as in other continents, the potential risks entailed by the new technologies, for human health and for the human environment, are carefully hidden.

11. The rapid development of intellectual property rights and the new international trade rules established by the World Trade Organization have speeded up laboratory research and aroused interest in the astonishing biodiversity wealth of southern countries, which now offers undoubted commercial potential. By lodging patents, trading companies using traditional medicinal plants will increasingly be depriving whole populations of their right to use these plants without paying a royalty.

12. In addition, some indigenous communities are afraid that their own genes might one day be patented. Despite the limited means at their disposal to combat such undertakings, these communities are calling on Governments to prevent individuals, companies and multinationals from taking these projects further and to recognize that any patent originating in their territories (including human genes, medicinal plants, seeds, etc.) constitutes a theft of their intellectual property.

13. The FIMARC movements are trying to establish an alternative economic system serving a fairer and more human world and are trying to develop a form of active citizenship, where the individual participates fully in the development of his local community, as well as in that of the human community as a whole. They are all convinced that their message and their action should contribute to placing people at the heart of any project and that all projects, a fortiori economic ones, must serve a social objective. It is also clear to everyone that there is an increasing need for a comprehensive approach to deal with the challenges of globalization in the service of neo-liberalism, already criticized above.

14. In this respect, they endorse the proposals of the aforementioned report of the Group of Experts (E/CN.4/1997/22 - para. 94), which suggests taking measures "to counter the adverse effects of globalization and liberalization on the development prospects or human rights condition of people, especially in weaker countries".

15. As an NGO enjoying consultative status with the United Nations system, FIMARC calls on States and Governments to heed and accede to the requests of rural and peasant communities. The FIMARC movements are aware, as expressed in the Human Development Report 1997, that "poverty is no longer inevitable. The world has the material and natural resources, the know-how and the people to make a poverty-free world a reality in less than a generation." They are also convinced that "poverty is not to be suffered in silence by the poor. Nor can it be tolerated by those with the power to change it."



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COMMISSION ON HUMAN RIGHTS
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**QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY
FORM OF DETENTION OR IMPRISONMENT**

Written statement submitted by the International Federation of
Human Rights Leagues, a non-governmental organization
in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[20 January 1998]

GE.98-10454 (E)

1. The International Federation of Human Rights Leagues (FIDH) and its Northern Ireland affiliate, the Committee on the Administration of Justice (CAJ), believe that issues of justice, rights and fairness are at the heart of the conflict in Northern Ireland. We believe that the establishment of the rule of law must be at the heart of efforts to resolve the conflict. An independent and professional legal profession, free from intimidation, is crucial to the successful operation of this principle.

2. Accordingly we urge a prompt response to the recommendations of the Special Rapporteur on the independence of judges and lawyers following his visit to Northern Ireland and England in October 1997. Additionally, we urge action to remedy a number of outstanding human rights concerns, many of which have been the subject of previous comment at the Human Rights Committee (1991 and 1995), the Committee against Torture (1991 and 1995), the Commission on Human Rights (1993, 1994 and 1996), the Sub-Commission on Prevention of Discrimination and Protection of Minorities (1992, 1993, 1994 and 1996), and the European Committee for the Prevention of Torture (1994), and have been the cause of several adverse findings against the United Kingdom in the European Court of Human Rights (e.g. McCann, Murray, Brogan).

3. Regrettably, the United Kingdom Government has failed to respond adequately to these concerns and indeed, on several occasions, the previous Government showed flagrant disregard for the findings of international human rights bodies.

Intimidation of defence lawyers

4. The FIDH and CAJ have previously expressed concern at allegations that some police officers threaten and abuse lawyers in a manner entirely inconsistent with the Basic Principles on the Role of Lawyers. We have also expressed concern that the killing of prominent defence lawyer Patrick Finucane, amidst concerns of official collusion, remains unresolved.

5. The serious nature of these concerns persuaded the Special Rapporteur on the independence of judges and lawyers to conduct an on site investigation in Northern Ireland in October 1997. The terms of reference for the visit were to investigate:

- (a) The abuse of defence lawyers;
- (b) Questions in relation to legal access, including deferrals and the refusal to allow solicitors to be present during police interviews;
- (c) The absence of video and audio recording in the holding centres in Northern Ireland;
- (d) The murder of Patrick Finucane;
- (e) Provisions in the emergency laws, such as the absence of a jury, lower threshold for admissibility of confession evidence, and the abrogation of the right to silence, that impinge on the ability of the judiciary to function impartially and independently.

6. Evidence gathered by FIDH and CAJ indicates that the intimidation of defence lawyers normally consists of threats to them via their clients. These threats are made by some interviewing detectives during detention under the emergency regime. These allegations have been made consistently since the 1980s yet no officer has been disciplined.

7. Of particular concern in the past year are reports of physical assault on two female lawyers, one of whom alleges that the police also used sectarian language against her. She also alleges that the officers, who were policing a public order event and wearing balaclavas, refused to provide her with identification numbers.

8. The murder of prominent defence lawyer Patrick Finucane remains unresolved. He was murdered at his home in 1989 by loyalist paramilitaries but there are credible reports that agents of the State colluded in his killing. Indeed, it emerged that an agent for British military intelligence was involved in the planning of the killing and passed on details to his superiors, but Mr. Finucane was not warned. Shortly before Mr. Finucane's death, a government minister accused a number of unnamed lawyers in Northern Ireland of being unduly sympathetic to the IRA. At the conclusion of Mr. Cumaraswamy's visit to Northern Ireland, in a preliminary observation on his findings, he said there appeared to him to be an unallayed suspicion of security force involvement in the Finucane murder. He also said that there were compelling reasons for an independent judicial inquiry into the murder of Mr. Finucane. FIDH and CAJ also believe that such an inquiry should be established. A similar call was made by Mrs. Palley at the Sub-Commission in 1992.

9. We also remain concerned about the emergency legal regime in Northern Ireland, with its significant restrictions on access to legal advice and the effective removal of the right to remain silent. In 1996 the European Court of Human Rights found that aspects of the detention regime violated the Convention. The United Kingdom Government has still not complied with the judgement and in fact has renewed the offending legislation. Furthermore the United Kingdom continues to derogate from the International Covenant on Civil and Political Rights and from the European Convention in respect of the powers which allow for seven-day detention without judicial review. Indeed when the United Kingdom Government recently announced its intention to incorporate the European Convention on Human Rights, it also confirmed its intention to incorporate the derogation from the Convention into domestic law despite the massive reduction in the level of the security threat and ceasefires by the main paramilitary groups.

10. Following widespread concern among non-governmental organizations and the findings of bodies like the United Nations Committee against Torture the Government eventually agreed to introduce silent video recordings of interviews. This announcement, while welcome, was made two years ago and, at the time of writing, the recordings have still not been introduced. The Government also recently announced its intention to introduce audio recordings in the holding centres. FIDH and CAJ welcome this but are concerned that the announcement was made along with the introduction of new emergency legislation which will not expire until 2000, six years after the beginning of the peace process.

11. Despite these announcements, solicitors for those detained will still not be able to attend interviews. Also, the power to defer access to legal advice for up to 48 hours will remain. While there was a welcome reduction in the number of such deferrals in recent years, FIDH and CAJ are concerned that, based on the statistics for the first three quarters of 1997 (the figures for the last quarter are not yet available), there has been a more than 100 per cent increase in deferrals.

12. FIDH and CAJ are also concerned at the implications of the Police Act 1997 which allows the police to examine documents and place electronic surveillance devices in private and business premises. Consequently, the police can now lawfully, with prior authorization from Government-appointed commissioners, break into a solicitor's office and examine his/her files.

13. FIDH and CAJ are concerned by evidence that police officers failed to intervene in an attack in Portadown which left a young Catholic man, Robert Hamill, dead. Eye-witnesses suggest that officers were present at the scene but did not intervene. In the aftermath of the attack, police issued conflicting press statements about the circumstances surrounding the death. Eventually, six men were charged with the killing but charges against five of the six have now been withdrawn. No officers have been suspended.

14. We are also concerned at the continuing allegations of harassment by the security forces, illustrated by the case of Colin Duffy. Since 1989 Mr. Duffy has been prosecuted on six occasions. On each occasion, the charges have either been dropped, he has been acquitted at trial or at appeal. He has spent approximately five years in custody awaiting various trials. In June he was charged with murder and spent approximately four months in custody, based on the evidence of one eye-witness in police custody, in spite of 12 alibi witnesses coming forward to give statements to the police on behalf of Duffy. He has since been rearrested and charged with grievous bodily harm. Mr. Duffy complains that on the occasions when he is at liberty, he is constantly stopped and searched by the security forces, reportedly on almost every occasion he leaves his house.

Conclusion

15. FIDH and CAJ believe that the cornerstone of a peaceful and democratic society must be respect for the rule of law. It is clear that this prerequisite is absent in Northern Ireland. We believe it is essential, if lasting peace is to be established in Northern Ireland, that the Government act immediately on the recommendations of the Special Rapporteur, Mr. Cumaraswamy. This would entail the immediate establishment of an independent judicial inquiry into the death of Patrick Finucane, and meaningful action to prevent harassment and threats against defence lawyers. Additionally, the United Kingdom Government should finally act on the recommendations of the Human Rights Committee (1995) and the Committee against Torture (1995) and dismantle the apparatus of emergency laws currently operating in Northern Ireland. We respectfully request the Commission to urge the Government of the United Kingdom to comply immediately with its international human rights obligations in this regard.



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**COMMISSION ON HUMAN RIGHTS
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**QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND
FUNDAMENTAL FREEDOMS IN ANY PARTY OF THE WORLD,
WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER
DEPENDENT COUNTRIES AND TERRITORIES**

Written statement submitted by the International Federation
of Human Rights Leagues, a non-governmental organization in
special consultative status

The Secretary-General has received the following written statement,
which is circulated in accordance with Economic and Social Council
resolution 1296 (XLIV).

[20 January 1998]

1. The International Federation of Human Rights Leagues (FIDH) and its member organization, the Committee for the Defence of Human Rights in Bahrain (CDHRB), wish to express their ongoing concern regarding the massive and systematic violations of human rights in Bahrain.

2. The violations have continued in spite of the commitments expressed by the Government of Bahrain during the last session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, which adopted a resolution condemning the violations of human rights in Bahrain and requesting the Commission to consider the situation.

Persistent use of torture on a large scale and appalling prison conditions

3. Torture and ill-treatment have continued to be practised routinely in the prisons. The most common methods of torture are: keeping the person standing for several days, beating over the whole body while the person is tied up or hanged with the toes just touching the ground, burning with cigarettes. Among the persons who were recently tortured are: Ali Yousif Hobail; Akil Al Madani, arrested on 5 September 1997, tortured severely and released on 8 September; Mohamed Ahmed Juma, arrested on 3 September 1997, detained incommunicado and tortured; Nizar Al Pari; Ahmed Edrees. The first two persons were tortured at Al Qala prison, which is part of the complex that also includes the Ministry of Interior as well as the Security and Intelligence Services (SIS). All these persons have suffered serious health deterioration. Some detainees died in custody because of torture, appalling prison conditions or denial of medical treatment. Some are released just before they die, a tactic used to avoid scandal. Such was the case of Abd Ali Jassim Issa, 45 years old, from Al Noaim, who died on 18 August at Salmania hospital after his release, as a result of the torture inflicted to him in detention. The Government has never led any investigation on the alleged cases of torture. Not only do the perpetrators enjoy impunity, but they are encouraged and rewarded by their superiors. Moreover, some State officials, such as Colonel Adel Flaifel and Colonel Khaled Al-Wazan, of the SIS, are directly involved in the perpetration of torture.

Discrimination against the majority Muslim Shiite population and political opponents

4. The policy of sectarian discrimination against the Muslim Shi'a population is of particular concern, especially in the sector of education since former General Abdul-Aziz Al-Padel became Minister of Education in June 1995 and former Colonel Mohamed Al-Ghatam was appointed President of the University of Bahrain. There is only one Shi'a on the University Council and only one Dean who belongs to this group. Several Shi'a teachers were forced to resign or were downgraded, and Shi'a students are discriminated against in the enrolment in the university. (For further information, please refer to the reports submitted by FIDH and CDHRB to the fifty-second session of the Committee on the Elimination of Racial Discrimination.)

Use of excessive force by police

5. The anti-riot police use excessive force to quell protests, using firearms and canister gas bombs. Several minors were wounded by plastic

bullets. The anti-riot police and SIS elements have carried out raids against districts or villages whose residents are considered to be opponents, attacking places, searching houses, ransacking belongings, beating people and arresting many residents, including children. Among the targeted areas: Duraz (10 August), Manama (20 August), Karana (12 September), Bani Jamra (22 October).

Unfair trials

6. Trials of many political defendants, including women and children, have continued to be held before the State Security Court. This court was established by decree and is far from respecting the internationally recognized standards such as the right to a fair trial. Recently, a group of eight personalities from the opposition who live in exile and are known for their peaceful activities in favour of democracy, were charged with high treason, conspiracy with foreign States and inciting terrorism. They are Shaikh Ali Salman, Shaikh Haider Al Sitir, Shaikh Hamza Al Dair, Dr. Mansur Al-Jamri, Dr. Saed Al-Shehabi, Shaikh Khalil Sultan, Shaikh Adel Al-Shola and Mohammed Habib Mansur Al-Shafaf. The first five were condemned to 15 years' imprisonment each and a total fine of 3 million United States dollars. The last three were condemned to five years' imprisonment. Before the trial, the government-controlled media had launched a campaign against them. The defendants were not notified officially of the date of the trial. The trial was not public and the defendants were tried in absentia and denied the rights to defence lawyers. Another recent example is the case of five minors (Jaffar M. Ali, 17; Ali Ahmed, 17; Hashem A. Al Ali, 16; Abas H. Ahmed, 16; Mohammed Ali, 16) from Bori village, arrested on 13 September after protesting peacefully and charged with burning cars, and tried before the State Security Court.

Restrictions on the freedom of opinion and expression, the freedom of the press and the freedom of association

7. Freedom of expression is also severely restricted in Bahrain. Recently, Al-Nahda Women Society was banned from holding a funeral ceremony upon the death of its former President, Aziza Al-Basam, due to her pro-democracy advocacy. The ceremony held on the fortieth day after her death was attacked and ended by the police. The Government directly controls the broadcast media, and the print media is subjected to strong State censorship as well as self-censorship. Mr. Mohammed Al-Gasra, UPI correspondent, was detained, interrogated and forced to resign from his job and Mrs. Ismat Al-Muswai, BBC correspondent, was forced to stop her job under pressure and threat. No independent association can work freely in Bahrain. All human rights associations have to work in exile. In the education sphere, in October, the administrative committees of the students' society, which used to be appointed by the students, were appointed by the President of the University. Another recent example is the case of six candidates for election of the Chamber of Commerce from the "Reform and Change" list, who were forbidden, by order of the Prime Minister, to stand; among them was Dr. Nezar Al-Baharna, former Vice-President of the University of Bahrain, who had been sacked.

Religious intolerance

8. There is no religious freedom in Bahrain and the Shi'a face religious intolerance. Important Shi'a mosques (such as Al-Sadeq at Al-Qufol-Manama, Al-Khawja at Manama, Bani Jamra, Sanabis, Al-Nabih Saleh) were shut down and Friday mass prayers in these mosques were prohibited by force. Among these mosques on 15, 21 and 22 October, some mosques and hussainiat (such as Tobli, Sh. Aziz mosque at Sihla and matam Ben Khamees at Sanabis) were attacked and ransacked and people were beaten. These events took place following protests following the appointment of members of the Supreme Council for Islamic Affairs - headed by Minister of Justice Sh. Abdulla Bin Khalid, a member of the Al-Khalifah ruling family - which increased religious intolerance towards the Shi'a population.

Arbitrary arrests and detentions

9. In the middle of 1997, there were no less than 1,500 political detainees in Bahrain; more persons have been arbitrarily arrested since then, including minors. It is of particular concern that some political detainees are kept in detention and tortured after having completed their sentence. Such is the case of Mohammed Salman, 18, and Hani Khames, 22, who completed their sentences on 22 October. Instead of being released from Dockyard prison, they were transferred to Al-Qala complex where they were severely tortured.

Forced exile

10. The Government has continued to forcibly exile opponents, to deny returning citizens entry to their homeland and to banish them. Recent examples are the cases of Abdul-Hassan Al-Saru, 77, and his family, who were forced into exile to the United Arab Emirates on 30 September after six days' detention, and Abd-Ali Sarhan forced into exile to Kuwait on 15 October.

Recommendations

11. The FIDH and the CDHRB call upon the Bahraini authorities:
- (a) To restore the rule of law;
 - (b) To comply with internationally recognized human rights standards and, in particular, to guarantee the physical integrity of all detainees, the right to a fair trial, and the freedoms of opinion, association and belief;
 - (c) To ratify the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of All Forms of Discrimination against Women;
 - (d) To cooperate with the United Nations human rights mechanisms, in particular by reporting to the treaty bodies on the implementation of the instruments to which Bahrain is a party.

12. The FIDH and the CDHRB call upon the Commission on Human Rights:

(a) To condemn the massive and systematic violations of human rights in Bahrain;

(b) To follow the request of the Sub-Commission and decide to consider the situation of human rights in Bahrain under its agenda item entitled "Question of the violation of human rights and fundamental freedoms in any part of the world, with particular attention to colonial and other dependent countries and territories, by appointing a monitoring mechanism in charge of reporting on the situation at its fifty-fifth session.
